

Guidance Document for Lead-Based Paint Abatement Permit Scope of Work, and Visual and Clearance Inspections

Department of Health
Environmental Health Administration
Lead-Based Paint Management Program
51 N Street, N.E.
Third Floor
Washington, D.C. 20002

(202) 535-1934
(202) 535-1396/Fax

July 11, 2005 (Revised)

George Siaway, Lead Inspector
Certification, Accreditation, and Permitting

Dr. Robert Hamilton
Interim Program Manager

Required Documents for Permit Application

1. D.C. Department of Health Lead-Based Paint Abatement Permit Application and Notification Package.
2. Copy of Contract, including documentation for the purpose of abatement (for example, administrative or court order to abate lead hazards, inspection report, comprehensive risk assessment report, Memorandum of Understanding, a loan, a grant, or construction financing document).
3. Permit Scope of Work
4. Copy of contractor and supervisor's D.C. lead –based paint certification
5. Proof of General, Environmental/Lead and Professional Liability Insurance

Safety Tips on Remodeling an Older Home

- Test the area for lead-based paint.
- Do not use a dry scraper, belt-sander, propane torch, or heat gun. These methods can create large amounts of hazardous lead dust and fumes.
- Children and pregnant women should be relocated temporarily from living quarters until the work is completed and the area properly cleaned. If unable to move, completely seal off the work area.

Guidelines for Developing Lead-Based Paint Abatement Permit Scope of Work

1. **Describe in the *Introduction*** what the removal or disposal plan seeks to address (*for example, exterior windows, doors, painted walls, other painted surfaces, etc.*), and the reason for the abatement (*for example, Elevated Blood-Lead level, Foster Care Inspections, Child Development Center Inspection, Complaints/Tips, Residential Lead-Based Paint Abatement, or Child-Occupied Facility Abatement*).
2. Describe the ***Abatement Procedures*** to be used for the project and *methods for controlling, storing, and disposing of debris or waste/wastewater generated from the abatement activity (for example, component removal and replacement, wet scraping, encapsulation, clean-up procedures, safe work practices, clean room setup, environmental monitoring, etc.)*.

3. **Describe *Containment Measures or Requirements*** for the ***Interior and Exterior*** of the facility or site (*for example, use of poly sheets to isolate work area and prevent exposure, negative air filtration setup, three-stage decontamination/clean room, etc.*).
4. **Specify *Occupant and Worker Protection Plan***, or indicate whether ***occupants*** will be located *out of the facility during the abatement*, indicate whether *immediate neighbors have been notified*, and *specify how furnishings will be protected*. Describe how workers will be protected during the abatement activity.
5. **State** how ***Exterior and/or Interior Containment*** will be *sustained throughout the abatement project*.
6. Indicate whether ***Notifications*** will be provided to all ***stakeholders*** (that is, D.C. Government, facility/property owner, neighbors), as to when work is scheduled to start (***including the provision of lead caution signs***. This includes posting ***warning signs and posters, labels, posters, and providing lead information brochures, etc.***)
7. Specify ***Collection and Onsite Storage Method*** for *wastes, wastewater, or debris* generated by ***abatement method*** (for example, wet scraping, chemical stripping, etc.), ***storage requirements***, and the ***Hazardous Waste Management plans***, if applicable.
8. Indicate in the **permit scope of work** that the **Supervisor** will notify the D.C. Department of Health, Lead-Based Paint Management Program (202-535-1934) when the abatement project starts.
9. Indicate in the *permit scope of work* **that the Supervisor or Contractor** will provide a copy of “**Clearance Report**” and “**Work/Job Completion Certificate**” (***Project Report***) to the **Lead-Based Paint Management Program at the end** of the abatement project (***that is, visual inspection results, clearance results, name of the individual conducting clearance, individual’s D.C. lead certification number, copy of sample chain-of-custody, and sketch of sampling area, included in the overall Clearance Report***).
10. Following review, the Department of Health, Lead-Based Paint Management Program, will issue a ***Compliance Certificate***, certifying that abatement activities have been successfully completed in accordance with ***the terms of the Permit (Scope of Work)***.

Requirements for Preparing Abatement Report

An abatement report must be prepared by a *D.C. lead-based paint certified supervisor or project designer*. The abatement report must include the following information:

1. Start and completion dates of abatement.

2. The name and address of each D.C. certified business entity conducting the abatement and the name of each D.C. certified supervisor assigned to the abatement project.
3. The occupant and workers' protection plan submitted with the permit application.
4. The name, address, and signature of each D.C. certified risk assessor or inspector conducting clearance sampling and the date of clearance testing.
5. The results of clearance testing and all soil analyses (if applicable) and the name of each recognized laboratory that conducted the analyses. The laboratory must be recognized by the United States Environmental Protection Agency (EPA) pursuant to section 405 (b) of the Toxic Substances Control Act as being capable of performing analyses for lead compounds in paint chip, dust, and soil samples.
6. A detailed written description of the abatement, including abatement methods used, locations of rooms and / or components where abatement occurred, reason for selecting particular abatement methods for each component, and any suggested monitoring of encapsulants or enclosures must be included in the abatement report.

Documents Required upon Completion of Abatement

1. Work Completion Form
2. Clearance Report (that is, *sketch of sampling area, sampler's name and D.C. lead-based paint certification number, chain of custody sheet, laboratory results, visual inspection results, and a signed copy of the Clearance Report for Lead-Safe Compliance Form*).

Guidelines to Conducting and Preparing Clearance Report

Clearance refers to the various environmental evaluation procedures used to determine the following:

- *The lead hazard control work was actually completed as specified.*
- *The area is safe for unprotected workers to enter.*
- *The area is a safe place for residents and young children to live.*

The clearance examiner should first review the following documents in order to establish the extent and scope of the abatement, and other requirements before proceeding with the visual and dust-wipe testing:

- Permit and permit scope of work.

- Contract
- Risk Assessment/Hazard Evaluation
- Project Scope of Work

Clearance occurs in *two main phases*, including *visual examination and environmental sampling (that is, dust and, if exterior work was conducted, soil sampling)*. A **visual examination** determines whether the work on all interior and exterior surfaces to be treated was in fact completed and ensures that *no visible settled dust or debris is present*.

A D.C. certified lead-based paint risk assessor or inspector *must conduct clearance sampling*. The clearance sampling includes ***sketch of sampling area, sampler's name and D.C. lead-based paint certification number, chain of custody sheet, laboratory results, visual inspection results, and clearance certificate/statements*** that address the following: *lead hazard control work was actually completed as specified, the area is safe for unprotected workers to enter, and the area is a safe place for residents and young children to live*. Provide a copy of the report to the Department of Health, Lead-Based Paint Management Program (see Chapter 15/Clearance, of the HUD Guidelines).

When clearance criteria are met, the *contractor*, who performed the work, *can conclude that the job is complete and issue an abatement report*. The abatement report must comply with the requirements for abatement reports specified above.

D.C. Form 1. CLEARANCE REPORT for LEAD-SAFE COMPLIANCE

D.C. Department of Health, Environmental Health Administration
Lead-Based Paint Management Program
51 N Street, N.E., 3rd Floor
Washington, D.C. 20002-3315
Attn: George Siaway

Project Name:

Project Address:

Lead Case #:

Abatement Permit #:

Findings:

No Visible Debris	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Clearance samples pass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Lead hazard control work was actually completed as specified.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
The area is safe for unprotected workers to enter.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
The area is a safe place for residents and young children to live.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Inspector/Risk Assessor Name: _____

D.C. Lead-Based Paint Certification Number and Exp. Date: _____

Company Name: _____

I certify that this clearance inspection was completed according to current regulations and established protocol of the District of Columbia.

I also certify, pursuant to D.C. Official Code §8-115.07A, that the project scope of work area is free of lead-based paint hazards.

Signature: _____

Date: _____

Criminal Penalties for Making False Statements

Any person convicted of making false statements shall be fined not more than \$1,000, or imprisoned for not more than 180 days, or both. A person commits the offense of making False statements if that person willfully makes a False statement that is in Fact material, in writing, directly or indirectly to any instrumentality of the District of Columbia Government, under circumstances in which the statement could reasonably be expected to be relied upon as true. (D.C. Official Code §22-2405).

[Attachments:](#)

Chain of Custody Sheet,
Laboratory Results,
Visual Inspection Forms (3)

Selected References

U.S. Department of Housing and Urban Development. Technical Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (1995).

<http://www.hud.gov/offices/lead/guidelines/index.cfm>

HUD’s “Lead-Safe Housing Rule,” 24 CFR Part 35, subparts B-R, as amended June 21, 2004.

<http://www.hud.gov/offices/lead/leadsaferule/index.cfm>

U.S. Department of Housing and Urban Development. (2002). Interpretive Guidance: Subpart R, The National Center for Lead-Safe Housing, Office of Lead Hazard Control, Washington, D.C. (The Online Guide to HUD’s Lead-Based Paint Regulations).

http://www.centerforhealthyhousing.org/1012/html/guidance_subpart_r.html,
Pages. 1-6.

EPA Regulations- “Lead-Based Paint Poisoning Prevention in Certain Residential Structures,” 40 CFR Part 745.

Document 40 CFR Part 745

OSHA Regulations- Safety and Health Regulations for Lead in Construction, 29 CFR § 1926.62.

http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10641